

The subject of this dissertation is „honour” crimes and culturally motivated crimes. The main objective of the dissertation is to characterise the social and cultural conditions of honour crimes, as well as the connection between these crimes and the phenomena of migration and gender discrimination. In the first chapter, I presented issues related to the multiculturalism of societies and the need for states to develop specific systems to accommodate incoming minorities. In this part of the thesis, I have also analysed the history of women in Europe and the United States over the centuries, as well as the situation of women in countries whose dominant religion is Islam. In the first part of the paper, I also attempt to characterise the institution of the cultural defence, which has become a type of trial tactic used in the cases of crimes in which the perpetrators invoke cultural factors in order to mitigate or exclude criminal responsibility.

I presented arguments of supporters and opponents of this type of defence, which is most developed in the American legal system. In second chapter of this thesis, I also introduced the basic features of the criminological content of "honour" crimes. I also presented the differences between the Western and traditional understanding of the concept of 'honour', which are relevant to understanding the characteristics of this crime. The third chapter is devoted to an analysis of the legal systems of countries where 'honour' crimes are a major problem, i.e. Pakistan, Turkey and Jordan. In this part of the thesis, I specifically characterised the laws relating to 'honour' crimes and those used to avoid or reduce responsibility for the perpetrators of this crime. The characterisation of the legal provisions of these countries is also linked to the Sharia law functioning and applied there, so I also attempt to characterise the assumptions arising from Islamic law, which are reflected, among others, in the Pakistan's 'The Qisas and Diyat Act'. The fourth chapter is devoted to the analysis of solutions functioning in multicultural European countries, i.e. the United Kingdom and the Netherlands. The analysis of the criminal legislation of these countries intends to indicate how much of a problem 'honour' crimes and other forms classified as culturally motivated crimes are becoming in Europe, and how these countries are responding to them. The fifth chapter was devoted to a discussion of the issues surrounding 'honour' crimes and culturally motivated crimes in Poland, with particular reference to attempts to invoke culture before the Polish justice system, as well as consideration of hypothetical factual situations in which such an attempt could be made. In this chapter, I have presented the norms of the governing law in Poland concerning the protection of people from other cultures, as well as an analysis of court records concerning the case of the murder of a Polish citizen, which was characterised as the first 'honour' killing committed in our country. I devoted the main part of the considerations in this chapter to an attempt to answer the question of whether there is space within the existing institutions of Polish criminal law for the use of cultural defences and whether the possibility of invoking cultural factors could appear on the grounds of Polish criminal law. In this chapter I also analyse individual institutions of criminal law that could be used to mitigate or exclude criminal liability of an offender invoking a different culture and origin. What is important here is an attempt to answer the question of what role cultural factors may play in the assessment of the attribution to the perpetrator of the particular elements comprising the structure of the crime, in particular with regard to the subjective side of the act and guilt. The work concludes with a „Concluding remarks” and a „Bibliography”.